APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,491	11/24/2003	Philip Lee Childs	RPS920030191US1	4559

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EXAMINER
TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Supplemental	10/720,491	CHILDS ET AL.
Notice of Allowability	**Examiner**	**Art Unit**	
	Cam Y T. Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *1/18/2007*.

2. ☒ The allowed claim(s) is/are *13-19*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

          International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

      Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

1.   Applicant has amended claims 13, 19 and canceled claims 1-12 in the amendment filed

on 1/18/2007.

Claims 13-19 are pending in this Office Action.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Attorney Robert A. Voigt on 1/31/2007.

In specification:

On page 4, please replace paragraph 3 with a below paragraph:

Figures 2A-B are a flowchart of a method for restoring previously un-backed up data during a system restore in accordance with an embodiment of the present invention.

On page 8, please replace paragraphs 2-4 with below paragraphs:

As stated in the Background Information section, in the case of files being corrupted due to hardware trouble and malfunctions or accidental infection by a computer virus or a computer worm, the data processing system may be restored to the state of the last backup using the back up files. However, upon restoring the data processing system to the state of the last backup, any files that have been modified since the last backup may not be able to be recovered. Further, it is possible that one of the backed up files unknowingly contained a virus or a worm. Consequently, when the data processing system is restored using the backed up files, the system may still be contaminated and the files may still be corrupted. Therefore, there is a need in the art to be able to recover files that have been modified since the last backup as well as a need in the art to ensure that the restored files do not contain any viruses or worms. A method for recovering files that have been modified since the last backup as well as ensuring that the restored files do not contain any viruses or worms are discussed below in association with Figures 2A-B.

Figures 2A-B - Method for Restoring Previously Un-Backed Up Data During a System Restore.

Figures 2A-B are a flowchart of one embodiment of the present invention of a

method 200 for restoring previously un-backed up data during a restore of system 100

(Figure 1). Steps 201-208 of method 200 describe the process of backing up data in partition

108 and steps 209-221 of method 200 describe the process of restoring previously un-

backed up data during a restore of system 100.

On page 9, please replace the first paragraph with a below paragraph:

Referring to Figures 2A, in conjunction with Figure 1, in step 201, a

determination is made by the alternate operating system in partition 108 as to whether there is

a need to update the virus template. That is, the alternate operating system in partition 108

determines if the version of the virus template is outdated and needs to be updated. If so,

then, in step 202, the alternate operating system in partition 108 downloads the updated virus

template into partition 108.

On page 10, please replace the paragraphs 5 and 7 with below paragraphs:

In step 213, the alternate operating system in partition 108 determines if the virus scan

detected any viruses. Referring to Figure 2B, if the virus scan detected any viruses, then, in

step 214, the alternate operating system in partition 108 determines if the modified file can be

uncorrupted.

Upon destroying the corrupted modified file in step 215 or if the modified file
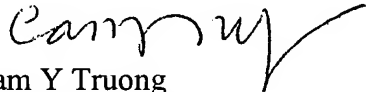
did not contain a virus or if the file read in step 210 (Figure 2A) was not modified or upon

uncorrupting the modified file that contained a virus in step 216, then, in step 217, the alternate

operating system in partition 108 determines if there any more files to be read in the non-

locked partitions of disk unit 107. If so, then, in step 210 (Figure 2A), the alternate

operating system in partition 108 reads another file located .

Contact Information

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042.

The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cam Y Truong
Primary Examiner
Art Unit 2162
1/31/2007